

REMARKS

Claims 1-24 are pending in the application.

Claims 1-24 stand rejected.

Double Patenting

Claims 1-24 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-33 of U.S. Application No. 10/696,371 and claims 1-32 of U.S. Application No. 10/696,097. While Applicants do not agree with this rejection, in order to expedite prosecution, appropriate terminal disclaimers accompany this response. Accordingly, Applicants respectfully submit that this rejection has been overcome.

Rejection of Claims under 35 U.S.C. §102

Claims 1-24 stand rejected under 35 U.S.C. § 102(e) as purportedly being anticipated by Katz et al. (US 2002/0178077) (“Katz”). Applicants respectfully traverse these rejections on the grounds that Katz does not disclose all elements of the claimed invention.

Independent claims 1 and 9 contain elements of substantially the following form:

extracting inventory location information in a first form that is associated with
a first source computerized inventory management system;
converting the inventory location information in the first form into inventory
location information that is in a second intermediate form; and
converting the inventory location information in the second intermediate form
into inventory location information in a target form that corresponds to
a target computerized inventory management system.

See, e.g., claim 1 (emphasis added). Katz fails to disclose each and every one of the claim elements of the independent claims, including: (1) extracted inventory location information in a

first form; (2) conversion of inventory location information into an intermediate form; and (3) conversion of intermediate form data into a target form. A rejection based upon anticipation by a single prior art reference requires that the cited art must contain every single element of the claimed invention, and Katz fails to meet this requirement.

The Office Action rejection is based upon one overarching, simplistic argument: that Katz transforms information from one form to another form, and that such transformation anticipates the claimed invention. *See Office Action, pp.5-6.* This argument ignores numerous elements of the claimed invention, among them the claimed invention's use of two distinct conversions of information. The first conversion is from source inventory location information into an intermediate form. The second conversion is from the intermediate form into a target form. Both of these conversion elements are claimed and both must be disclosed by Katz in order to support a rejection based on anticipation. Applicants submit that, because Katz fails to perform two separate conversions (elements 2 and 3 above), and because any conversion comparable to the claimed conversion is lacking in Katz, there can be no way that Katz can be said to anticipate the claimed conversions, or to teach or contemplate anything even remotely comparable to the claimed intermediate form, for that matter. Moreover, these distinctions need not even take into consideration the fact that Katz's transformation is not comparable to either of the claimed conversions.

Katz is directed to a system "that enables suppliers and procurement professionals to leverage enterprise and marketplace data in order to potentially improve decision-making in business enterprises." Katz, Abstract. Katz's system integrates various types of data and transforms the data into a form compatible with Katz's Value Chain Intelligence (VCI) system. *See Katz, ¶¶ [0012]-[0013], [0042], [0190], and [0054].* This transformative ability in Katz is the

basis of the Office Action argument. *See* Office Action, pp.5-6. The disclosure in the cited sections of Katz of a single transformation of data into a form suitable for Katz's VCI system does not anticipate the claimed invention, at the very least because such a transformation is a single transformation, not two. In addition, this single transformation in Katz fails to anticipate either of the claimed conversions because, as will be shown, the single transformation in Katz does not involve anything analogous to the claimed intermediate form, and the intermediate form is necessary to both of the conversions of the independent claims.

The cited sections of Katz do not disclose two separate conversions of information – only a single transformation of information is disclosed: from external or internal data into data compatible with the VCI system. *See* Katz, ¶ [0190]. Even if the transformation in Katz were somehow comparable to the claimed conversions (a point which Applicants do not concede), the cited sections of Katz present one system, the Value Chain Intelligence system, and the cited sections of Katz are only concerned with bringing data into this system. Because, using Katz's approach, there is only one system disclosed, there is only one transformation of information disclosed: from data outside the VCI system into data within the VCI system. The cited sections of Katz do not teach or contemplate any other transformations of data that are made in the process of bringing data into the VCI system, and so would never show, teach, or contemplate anything even remotely comparable to the two claimed conversions.

Thus, the two distinct conversions claimed in the invention are not taught or contemplated by Katz. Further, as noted, given that Katz fails to show, teach or suggest a second conversion of information, it follows that there can not be an intermediate form on which such a second conversion could be based. Thus, the intermediate form of inventory location information claimed in the invention is also not taught or contemplated within Katz.

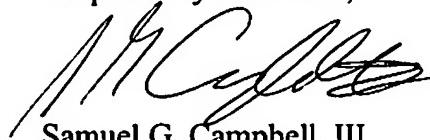
For at least these reasons, Applicants submit that Katz does not provide disclosure of all the limitations of independent claims 1 and 9, and dependent claims 2-8 and 10-24, and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the final rejections to these claims and an indication of the allowability of same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,



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